

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

In re CARIBBEAN PETROLEUM LP, *et al.*

Bankruptcy Case No. 01-11657 (PJW)

HERNAN SERRANO, Trustee Of The Caribbean
Petroleum Creditors' Trust, and on behalf of the
estates of the above-captioned debtors, Caribbean
Petroleum, *et al.*, as authorized representative,

Plaintiff,


v.

INDUSTRIAL HYDROVAC SERVICES; and
INDUSTRIAL HYDROVAC SERVICES, INC.,

Defendants.

Civil Action No. 04-441 SLR

**NOTICE AND STIPULATION OF
VOLUNTARY DISMISSAL WITH PREJUDICE OF COMPLAINT**



PLEASE TAKE NOTICE that, pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, as made applicable hereto by Rule 7041 of the Federal Rules of Bankruptcy Procedure, plaintiff Hernan Serrano, Trustee Of The Caribbean Petroleum Creditors' Trust, and on behalf of the estates of the above-captioned debtors, Caribbean Petroleum, *et al.*, as authorized representative; and, defendants, Industrial Hydrovac Services and Industrial Hydrovac Services, Inc., hereby stipulate to the voluntary dismissal with prejudice of the *Complaint* (Docket No. 1 in the United States Bankruptcy Court for the District of Delaware, Adversary Case No. 03-60023) (the "Complaint") in the above-captioned action.

The parties stipulate to the dismissal of the Complaint with prejudice because the parties therein have settled the dispute at issue, and each party shall bear its own costs and attorneys fees incurred in the proceeding.

Dated: September 8, 2005

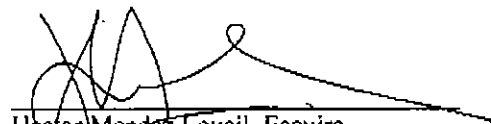
PACHULSKI, STANG, ZIEHL, YOUNG, JONES
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